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NOT FOR PUBLICATION

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Steven W. Bluth,

Plaintiff,

vs.

Jack L. Johnson; International Health
Management Associates, Inc.,

Defendants.

No. CV-04-2684-PHX-SRB

ORDER

At a hearing on July 25, 2005, Defendants promised to file an answer by August 3, 2005. The Court's understanding of that promise was that Defendants would file an answer with respect to *all* counts in the Complaint. Defendants chose not to do so, and filed an answer only with respect to the first count of the Complaint.

As a remedy for Defendants' failure to fully answer, Plaintiff's seek a default judgment with respect to counts two through seven. This is too harsh a remedy, but the Court does deem it proper to deny Defendants' motion to dismiss counts two through seven.

IT IS ORDERED denying Defendants' Motion to Dismiss Counts Two Through Seven of the Complaint (Doc. 27).

DATED this 20th day of January, 2006.

Susan R. Bolton
United States District Judge